

REMARKS/ARGUMENTS

Applicants thank Examiners Swartz and Trammell for the 6/28/07 interview. As proposed during the interview, applicants are canceling claims 1-188 without prejudice or disclaimer and are adding new independent claim 189 and dependent claims 190-241. Exemplary support for new independent claim 189 is found in applicants' provisional application no. 60/047,876 filed May 29, 1997 (electronic copy being submitted herewith) as shown in the attached appendix.

As discussed during the interview, applicants' U.S. Patent No. 6,161,099 has been litigated in the United States District Court for the Western District of Pennsylvania. The jury returned a verdict that the patent is valid and infringed. Copies of certain court papers are attached. Additional documents will be filed.

Should any minor issues remain outstanding, the Examiner should contact the undersigned at the telephone number listed below so they can be resolved expeditiously without need of a further written action.

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140.

Respectfully submitted,
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APPENDIX

Proposed New Claim 189	Exemplary Support in Provisional Specification														
A computer-mediated method of conducting an auction of an interest-bearing financial instrument over the Internet,	<div>\$167,440,000 City of Pittsburgh, Pennsylvania General Obligation Refunding Bonds Series A of 1996</div> <table><tr><th>Due</th><th>Principal Amount</th><th>Price</th><th>Coupon</th><th>Best Yield</th><th>Winner</th><th>Winning Bid</th></tr><tr><td>March 1, 1998</td><td>\$15,285,000</td><td>99 000%</td><td>4 000%</td><td>5 083%</td><td>Mutual</td><td>123456</td></tr></table> <p>Exh. 16, p. 4)</p> <p>"The present invention relates to a method of conducting auctions, particularly municipal bond auctions, over electronic networks, particularly the Internet." (1:5-8)</p>	Due	Principal Amount	Price	Coupon	Best Yield	Winner	Winning Bid	March 1, 1998	\$15,285,000	99 000%	4 000%	5 083%	Mutual	123456
Due	Principal Amount	Price	Coupon	Best Yield	Winner	Winning Bid									
March 1, 1998	\$15,285,000	99 000%	4 000%	5 083%	Mutual	123456									
wherein bidders are distributed in different physical locations and can simultaneously participate in the auction,	"It is an object of the present invention to allow bidders from around the world to participate in a real-time auction simultaneously." (5:7-9)														
each bidder having access to a computer,	"each bidder is provided with a computer" (7:29-30)														
and each bidder's computer communicating over the Internet	"each bidder is provided with a computer connected to the Internet" (11:11-12)														
with at least one computer having auction software,	"In a preferred embodiment the source code implementing these screens resides entirely in the auctioneer's computer" (11:17-19)														
said method comprising:															
at least in part through use of:															
a) hypertext transfer protocols (HTTP),	"http://www.MuniAuction.com" (Exh. 17, p. 1)														
b) mark-up language such as, but not limited to, Hypertext Markup Language (HTML) and	"the auctioneer's web site is written in HTML (Hypertext Markup Language)" (11:26-27)														
c) web browsers,	"conventional web browsing software" (11:11)														
to enter, submit, receive, or display bids;															
said method further comprising:															
a) stipulating in advance certain conditions bidders must satisfy to submit competing bids;	"Good Faith Deposit. For each proposal to be considered, a Good Faith Deposit ("Deposit") is required in the amount of \$3,350,000 for the Bonds. The Deposit must be in the form of (1) a certified or cashier's check or (2) a financial surety bond ("Surety Bond") payable to the order of the City." (Exh. 5, page 2)														
b) stipulating in advance certain parameters competing bids must satisfy;	"10. To provide a bidder with automatic notification via error message when bid does not conform to issuer's specifications in a														

	Notice of Sale with a description of any non-conforming entry;" (7:15-18)
c) excluding non-qualified bidders from the bidding competition;	"9. To obtain electronic verification from bidders that they have read and agree to certain legal documents associated with a bond issue, retaining their responses in a log, and if they answer "no" that they have not read the documents or do not agree with them, to deny said bidders access to the auction until they can answer "yes"; (7:8-14)
d) excluding non-qualified bids from the bidding competition;	"Forces bids to conform to issuer's specs" (Exh. 17, p. 4)
e) notifying bidders of their bids that fail to conform to pre-established bid parameters;	"If the user attempts to submit a bid which results in a higher yield than a bid it has already submitted which became the current leading bid, it is linked to an error message page (Exh. 13) that it [sic] is attempting to submit a bid which is worse than one they has [sic] already submitted and that the user should click the BACK button to return to the Auction Page (Ex. 12). (16:28-17:2) "10. To provide a bidder with automatic notification via error message when bid does not conform to issuer's specifications in a Notice of Sale with a description of any non-conforming entry;" (7:15-18)
f) allowing bidders to modify their bids during the bidding period;	"allows bidders to see other bids and improve bids" (Exh. 17, p. 2)
g) automatically comparing received bids to determine the best bid or bids; and	"When a bid is "submitted", it is transmitted to the auctioneer's computer where it is compared with the current highest bid." (8:15-17)
h) displaying at least the best bid or bids.	"The Observation Page (Exh. 15) shows the true interest cost of the winning bids when there are bids for every maturity in the issue." (18:3-5)